



5 Wall Street  
Burlington, MA 01803

*Via ECFS*

February 15, 2012

The Honorable Marlene H. Dortch  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Room TW-A325  
Washington, DC 20554

**Re: EB-Docket No. 06-36, Annual 64.2009 CPNI Certification for 2011**  
**EarthLink, Inc. – Filer ID 824758**  
**New Edge Network, Inc. – Filer ID 820304**  
**Deltacom, Inc. – Filer ID 807069**  
**Business Telecom, Inc. – Filer ID 808512**  
**Interstate FiberNet, Inc. – Filer ID 803136**  
**One Communications Corp. & subsidiaries – Filer ID 822054**  
**STS Telecom, LLC – Filer ID 825590**  
**Saturn Telecommunication Services, Inc. – Filer ID 815129**

Dear Secretary Dortch:

Enclosed is the executed Annual C.F.R. § 64.2009(e) CPNI Certification for EarthLink, Inc., New Edge Network, Inc., Delatcom, Inc., Business Telecom, Inc., Interstate FiberNet, Inc., One Communications Corp. and its subsidiaries listed on Exhibit A, STS Telecom, LLC and Saturn Telecommunication Services, Inc. (collectively, "the EarthLink Companies"). The Certification is signed by Samuel R. DeSimone, Jr., General Counsel for the EarthLink Companies. This filing covers calendar year 2011.

If you have any questions, please contact me at 781-362-5713. Thank you.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Paula", followed by a long, sweeping horizontal line that extends to the right.

Paula Foley, Esq.  
Regulatory Affairs Counsel

Encs.

**Annual 47 C.F.R. § 64.2009(e) CPNI Certification  
EB Docket No. 06-36**

Annual 64.2009(e) CPNI Certification for Calendar Year 2011

**Date Filed:** February 15, 2012

**Names of companies covered by this certification:** EarthLink, Inc., New Edge Network, Inc., Deltacom, Inc., Business Telecom, Inc., Interstate FiberNet, Inc., One Communications Corp. and its subsidiaries listed on Exhibit A; Saturn Telecommunication Services, Inc., and STS Telecom, LLC

**Form 499 Filer IDs:** EarthLink, Inc. 824758  
New Edge Network, Inc. 820304  
Deltacom, Inc. 807069  
Business Telecom, Inc. 808512  
Interstate FiberNet, Inc. 803136  
One Communications Corp. & subsidiaries 822054  
STS Telecom, LLC 825590  
Saturn Telecommunication Services, Inc. 815129

**Name of signatory:** Samuel R. DeSimone, Jr.

**Title of signatory:** General Counsel

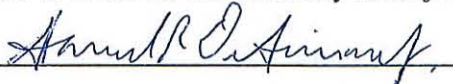
I, Samuel R. DeSimone, Jr., certify that I am an officer of the companies named above, and acting as an agent of the companies, that I have personal knowledge that the companies have established operating procedures that are adequate to ensure compliance with the Commission's CPNI rules. *See 47 C.F.R. § 64.2001 et seq.*

Attached to this certification is an accompanying statement explaining how the companies' procedures ensure that the companies are in compliance with the requirements (including those mandating the adoption of CPNI procedures, training, recordkeeping and supervisory review) set forth in section 64.2001 *et seq.* of the Commission's rules.

The companies have not taken any action against data brokers in the past year.

The companies have not received any customer complaints in the past year concerning the unauthorized use of CPNI.

The companies represent and warrant the above certification is consistent with 47 C.F.R. § 1.17 which requires truthful and accurate statements to the Commission. The companies also acknowledge that false statements and misrepresentations to the Commission are punishable under Title 18 of the US Code and may be subject to enforcement action.

Signed: 

**Attachments:** Accompanying Statement explaining CPNI procedures  
Exhibit A: One Communications Corp. subsidiaries



## **Statement of Customer Proprietary Network Information Procedures and Compliance 2011**

EarthLink, Inc. ("EarthLink"), on behalf of itself and its subsidiaries, New Edge Network, Inc. ("NEN"), DeltaCom, Inc., Business Telecom, Inc. and Interstate FiberNet, Inc. (collectively, the "DeltaCom Entities"), Saturn Telecommunication Services, Inc. and STS Telecom LLC (collectively, the "STS Entities"), and One Communications Corp. (including legacy CTC Communications, Choice One, Conversent Communications, Lightship Telecom, US Xchange, Connecticut Broadband and Connecticut Telephone, collectively, the "ONE Entities") provide this statement pursuant to 47 C.F.R. § 64.2009(e), to summarize the operational procedures and policies in place that are designed to ensure compliance with the Commission's Customer Proprietary Network Information ("CPNI") rules. EarthLink, NEN, the DeltaCom Entities, the STS Entities, and the ONE Entities are collectively referred to herein as the "Companies" or singularly, a "Company." Excepting EarthLink, the Companies are referred to as the "EarthLink Business Companies."

### **Use, Disclosure, or Access to CPNI**

Consistent with Section 222 of the Communications Act of 1934, as amended (the "Act"), and the Commission's implementing rules, the Companies' general policy is not to use, disclose to a third party, share between the Companies or permit a third party or another Company to access CPNI absent customer consent. However, the following are exceptions to that general policy. The Companies may use, disclose, share or permit access to CPNI:

- (1) to protect our rights and property, our customers, and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, our services;
- (2) to provide or market service offerings among the categories of service to which the customer already subscribes;
- (3) for the provision of customer premises equipment;
- (4) for billing and rendering services, including installation, maintenance and repair services, to the customer; and
- (5) as required by law, such as in response to a validly issued subpoena.

Also, if two or more Companies provide Services to the same customer, but in different categories of Service, then the Companies who provide Services to such customer may share CPNI for marketing in connection with the subscribed-to Services.

### **Use of CPNI for Marketing Purposes**

Each Company shares CPNI only among the Companies, and with its affiliates, partners, contractors, vendors or agents for marketing communications-related products and services. A Company will share CPNI with a partner, contractor, vendor or agent only after that person or entity has entered into an agreement with confidentiality provisions with the Company. In accordance with the CPNI Laws, the Companies provide all affected customers with appropriate notice offering their customers the opportunity to opt out of any such sharing or use of CPNI prior to such sharing or use. In addition, the Companies will provide all customers with appropriate notice every two (2) years and maintain all records of customer notifications for at least one year. A customer of the EarthLink Business Companies may opt out at any time using any of the following methods: (1) visiting [www.earthlinkbusiness.com/optout](http://www.earthlinkbusiness.com/optout) and completing the Opt-Out Form; (2) contacting Customer Service at 1-800-962-2488; or (3) providing written notification to: EarthLink Business, 2150

Holmgren Way, Green Bay, WI 54304. The customer must provide the following information: (i) name; (ii) service billing address; (iii) ten-digit telephone number(s); and (iv) service account number. A customer's decision to opt out does not affect the provision of the customer's services. Further, the Companies have implemented a system whereby the status of a customer's CPNI approval can be determined prior to the use or disclosure of CPNI

### **Maintenance of Records**

If a Company uses CPNI for a marketing or sales campaign, shares CPNI with another Company or discloses or permits access to CPNI to a third party, then the Company is required keep records of such use, sharing, disclosure or access for a minimum of one year. The records must contain a description of each campaign or disclosure, the CPNI that was used in the campaign or that was disclosed, and the products and services that were offered as part of the campaign. Internally, the Companies only may provide access to CPNI to those employees who need to know the CPNI to perform their duties.

### **Employee Training/Disciplinary Process**

Annually, all employees of the Companies are required to review the Companies' CPNI policy and affirmatively agree to the CPNI policies and restrictions therein. Similar notification and training are conducted with all relevant non-employee agents. A violation of the CPNI laws is subject to disciplinary action up to and including termination.

### **Authentication and the Release of Call Detail Information**

The Commission's CPNI rules also require service providers to initiate safeguards to protect against pretexting, which is the practice of fraudulently obtaining call detail and other private communications records of another person.

EarthLink and NEN customers may obtain CPNI concerning their accounts through two means: (1) inquiries to the call center, and (2) through an online portal. It is the policy of EarthLink and NEN not to disclose CPNI to requesting customers via call center personnel unless an agreed-upon password is provided in the case of EarthLink or identifying customer specific account information is provided in the case of NEN. Both EarthLink and NEN use password protection methods to protect online access to CPNI. In addition, it is the policy of EarthLink and NEN to notify a customer immediately when the following are created or changed: (1) an account password; (2) a back up for forgotten passwords; (3) an online account; or (4) the address of record. In the case of EarthLink, when a customer's password has been compromised, EarthLink advises the customer not to establish a new password based upon "readily available biographical information," such as the customer's social security number, the last four digits of that number, the customer's mother's maiden name, a home address, or a date of birth. In addition, EarthLink offers advice and tips to customers regarding password selection through its MyAccount service.

The DeltaCom Entities do not release call detail information during an in-bound call. Instead, they either call the customer back at the telephone number of record or send the requested call detail information to the address of record. In addition, the DeltaCom Entities have a system whereby access to online accounts is initially obtained through the use of a company-assigned personal identification number (PIN) which the customer uses to establish its own password, security hints, and back-up authentication. As an additional security measure for online accounts, the DeltaCom Entities

periodically send via U.S. Postal Service to each retail customer's address of record a list of those e-mail addresses that have established access the customer's online account. This process provides the customer with the ability to verify that no unauthorized access to its online account information has occurred.

The STS Entities do not disclose CPNI to requesting customers via call center personnel unless the customer is authenticated as an authorized contact on the account. If the contact is not authorized, STS personnel advise the caller that it may not discuss account information with them but that an authorized contact may send a request on company letterhead to add the caller as an authorized contact to the account.

The ONE Entities do not disclose call detail information on a customer-initiated telephone call. Instead, they either call the customer back at the telephone number of record or send the requested call detail information to the address of record. The ONE Entities authenticate a customer prior to any disclosure of CPNI that is not call detail information on a customer-initiated telephone call. The ONE Entities require customers to establish a password prior to initiating online access to account information, including CPNI. New and existing customers must be authenticated prior to establishing a password. For existing customers to establish a password, the customer must first be authenticated without the use of readily available biographical information or account information. If a customer cannot provide a password or the proper response for the back-up authentication method to access an online account (which shall not rely on readily available biographical information or account information), then the ONE Entities re-authenticate the customer prior to providing the customer with online access to CPNI.

### **CPNI Breaches**

Consistent with 47 C.F.R. § 64.2011, each Company is obligated to notify the appropriate state and federal agencies, including law enforcement, of a breach of a customer's CPNI as soon as possible, but no later than seven business days after a reasonable determination of a breach. A Company will not notify the customer or disclose the breach publicly until seven (7) business days after the notification has been provided to the appropriate state and federal agencies. However, a Company immediately may notify a customer after consultation with the relevant investigative agency if the Company believes that there is an extraordinarily urgent need to notify a class of customers in order to avoid immediate and irreparable harm. Each Company will maintain records of discovered breaches, notifications to state and federal agencies (including law enforcement) of those breaches, and the responses of such state and federal agencies to those notifications for a period of two years.

## Exhibit A

### **One Communications Corp. Subsidiaries**

Choice One Communications of Connecticut, Inc.  
Choice One Communications of Maine, Inc.  
Choice One Communications of Massachusetts, Inc.  
Choice One Communications of New York, Inc.  
Choice One Communications of Ohio, Inc.  
Choice One Communications of Pennsylvania, Inc.  
Choice One Communications of Rhode Island, Inc.  
Choice One Communications of Vermont, Inc.  
Choice One of New Hampshire, Inc.  
Choice One Communications Resale LLC  
Connecticut Telephone and Communication Systems, Inc.  
Connecticut Broadband, LLC  
CTC Communications Corp.  
CTC Communications of Virginia, Inc.  
Conversent Communications of Massachusetts, Inc.  
Conversent Communications of Connecticut, Inc.  
Conversent Communications of Maine, LLC  
Conversent Communications of New Hampshire, LLC  
Conversent Communications of New Jersey, LLC  
Conversent Communications of New York, LLC  
Conversent Communications of Pennsylvania, LLC  
Conversent Communications of Rhode Island, LLC  
Conversent Communications of Vermont, LLC  
Conversent Communications Resale, LLC  
Lightship Telecom, LLC  
US Xchange of Illinois, LLC  
US Xchange of Indiana, LLC  
US Xchange of Michigan, LLC  
US Xchange of Wisconsin, LLC